

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

THE STATE OF TEXAS, ET AL.

v.

GOOGLE LLC

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CIVIL NO. 4:20-CV-957-SDJ

ORDER

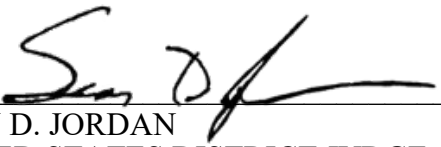
Before the Court is Defendant Google LLC's Motion to Strike Plaintiffs' Jury Demand for All Claims and Civil Penalties. (Dkt. #690). The motion is fully briefed, and the Court has heard oral argument; however, more information is needed concerning the operation of the States' Deceptive Trade Practices Acts ("DTPA") and antitrust statutes, as well as the parties' precise arguments concerning the availability of jury trial for the States' DTPA and antitrust claims. Specifically, the Court requires detailed and comprehensive analyses from both sides on *each* State's antitrust and DTPA statutes, including analyses of the precise portions of each statute that are at issue in this case as to both liability and remedy. For clarity, the parties should err on the side of providing *thorough and complete* information and argument, rather than abbreviated descriptions. If more pages are required to do so, the parties may ask for such additional space.

The parties must also engage meaningfully with two broad issues raised by their prior briefing and apparently applicable to the statutes in question. *First*, does the statute provide the State with an equitable claim, a legal claim, or both, and if both equitable and legal claims are authorized, are the legal claims incidental to

and/or intertwined with equitable claims so as to negate a right to a jury trial under controlling law. *Second*, and relatedly, if the statute provides the State with both equitable and legal claims, under what circumstances (1) may all such claims be tried to a jury, (2) must all such claims be adjudicated through a bench trial, or (3) may the legal claims be tried to a jury and the equitable claims be resolved by the Court.

It is therefore **ORDERED** that the parties submit supplemental briefing addressing these issues by **March 27, 2025**. Each side's brief should not exceed forty (40) pages.

So ORDERED and SIGNED this 13th day of March, 2025.


SEAN D. JORDAN
UNITED STATES DISTRICT JUDGE